



DAC

Atty. Dkt. No. 062834-0161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: George H. HOFFMAN, et al.
Title: SYSTEM, METHOD AND COMPUTER
PROGRAM PRODUCT FOR A
CONVENIENCE STORE SUPPLY
CHAIN MANAGEMENT
FRAMEWORK

RECEIVED

FEB 27 2004

OFFICE OF PETITIONS

#13

Appl. No.: 09/815,688
Filing Date: 03/23/2001
Examiner: Elaine L. Gort
Art Unit: 3627

PETITION FOR REVIVAL OF APPLICATION FOR PATENT

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Receipt is acknowledged of the Notice of Abandonment dated February 11, 2004 (copy enclosed), in the subject application. As set forth below, Applicants submit that the Notice of Abandonment has been issued in error.

Please find attached copies of the following filings on January 29, 2004:

1) A Petition for Extension of Time; Amendment; Information Disclosure Statement and SB08 Form without references (already submitted with the filing) of January 29, 2004 and check stub for \$1130.00;

2) A copy of date-stamped return postcard dated January 29, 2004.

The PTO is advised that the aforementioned documents were timely filed in the PTO on January 29, 2004 before the due date of January 30, 2004, as evidenced by the attached postcard bearing the Office date stamp thereon.

In view of the foregoing, the Applicants request that abandonment be rescinded and the application examined.

Respectfully submitted,

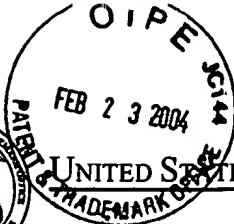
Date 2/23/04

By 

FOLEY & LARDNER
Customer Number: 22428
Telephone: (202) 672-5485
Facsimile: (202) 672-5399

William T. Ellis
Attorney for Applicant
Registration No. 26,874

The Commissioner is hereby authorized to
charge any deficiency or credit any over-
payment to Deposit Account No. 19-0741



UNITED STATES PATENT AND TRADEMARK OFFICE

114
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,688	03/23/2001	George Harry Hoffman	41556/04031 (RS11P043)	5849

22428 7590 02/11/2004

FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

RECEIVED

FEB 27 2004

OFFICE OF PETITIONS

EXAMINER

GORT, ELAINE L

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**RECEIVED**

FEB 27 2004

OFFICE OF PETITIONS**Notice of Abandonment**

Application No.

09/815,688

Examiner

Elaine Gort

Applicant(s)

HOFFMAN ET AL.

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 30 July 2003.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

ROBERT P. OLSZEWSKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.